

To: Schmittziel, Paula[Schmittziel.Paula@epa.gov]
Cc: Nathan M. Longenecker[Nathan.Longenecker@Kinross.com]
From: Larry Perino
Sent: Wed 4/15/2015 2:54:24 AM
Subject: sample plans; consent to access; American Tunnel work plan
Summary of SGC Mayflower Mill and Tails Area Work Plan 2015 04 08.pdf
Summary of SGC American Tunnel Work Plan 2015 04 08.pdf

Dear Paula,

Thank you for meeting with Sunnyside (myself and Nathan Longenecker) on April 9th to discuss Sunnyside's investigatory work plans for the Mayflower Mill and Tailings area and the American Tunnel.

As discussed at the meeting, Sunnyside has been preparing work plans for the referenced areas as outlined in the attached summaries as part of the collaborative process and as requested by EPA, BLM and the CDPHE ("Governmental Stakeholders") in their January 15, 2015 letter. However, as you explained at the meeting, the Governmental Stakeholders would like Sunnyside to proceed with the Mayflower investigation and hold off on preparing an investigatory work plan for the American Tunnel until sometime after the Red & Bonita bulkheading has been completed. This is to allow the effect of the Red & Bonita bulkheads to be observed and taken into account. By this email, I am confirming that, per your request, Sunnyside will not be finalizing a work plan for the American Tunnel until the effect of the Red & Bonita bulkheading has been observed.

At the meeting, we (Sunnyside) also explained that we are preparing to implement a sampling plan as early as the first week of May to sample various points in the vicinity of the Mayflower Mill in order to obtain "high flow" data. However, it was explained to us at the meeting that EPA is conducting a more comprehensive sampling plan that may overlap with Sunnyside's high flow sampling plan and that it may be unnecessary for Sunnyside to proceed with its high-flow plan. EPA offered to allow Sunnyside a chance to review EPA's draft plan, provide input into that plan and determine whether its "high flow" plan would be necessary. We are awaiting EPA's draft plan and would like a chance to review it as soon as possible to determine whether or not Sunnyside should proceed on its own beginning the first week of May. Please forward EPA's plan to me at your earliest convenience so that we have sufficient time to review EPA's plan and determine next steps before the high flow event is upon us.

At the meeting, we were presented with EPA's "Consent to Access" agreement for properties

identified as belonging to Sunnyside. We understood that EPA would be sending us a map of sampling locations and proposed access areas so that we can determine whether the properties are owned by Sunnyside. We have not yet received the map and request that it be sent in order to evaluate EPA's request. We also ask that a Word version of the "Consent to Access" be provided so that we can revise the Consent and properly define its scope.

I look forward to receiving the above information as soon as possible.

Best Regards,

Larry Perino